

# UTILITY PATENT APPLICATION TRANSMITTAL

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(Only for new nonprovisional applications under 37 CFR 1.53(b))

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Attorney Docket No. MBHB03-332-B (400/126)

First Named Inventor James McSwiggen

Express Mail No. EV333564232US

## APPLICATION ELEMENTS

1. ☒ Transmittal Form with Fee
2. ☒ Specification (including claims and abstract) [Total Pages 148]
3. ☒ Drawings [Total Sheets 11]
4. ☐ Oath or Declaration [Total Pages ]
  - a. ☐ Newly executed
  - b. ☐ Copy from prior application
  - i. ☐ Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application
5. ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer Code Listing (See 1.96)
  - a. ☐ Microfiche Appendix
  - b. ☐ CD-Rom (in duplicate, with separate transmittal)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy
  - c. ☐ Statement verifying above copies
8. ☒ Small Entity Status
  - ☒ is claimed
  - ☐ Statement filed in prior application; status still proper and desired
  - ☐ is no longer claimed.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers
10. ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)
  - ☐ PTO-1449 Form
  - ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ A Request for non-publication pursuant to 35 U.S.C. § 122(b)(2)(B)(i)
17. ☒ Other: Application Data Sheet

## 18. ☒ This is a CONTINUING APPLICATION. Please note the following:


- a. ☒ This is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part of prior U.S. Application No. 10/422,704 filed April 24, 2003, which is a continuation of U.S. Application No. 10/417,012 filed April 16, 2003, which is a continuation-in-part of International Patent Application No. PCT/US03/05346 filed February 20, 2003, and a continuation-in-part of International Patent Application No. PCT/US03/05028 filed February 20, 2003, which claim the benefit of U.S. Provisional Application No. 60/358,580 filed February 20, 2002, U.S. Provisional Application No. 60/363,124 filed March 11, 2002, U.S. Provisional Application No. 60/386,782 filed June 6, 2002, U.S. Provisional Application No. 60/406,784 filed August 29, 2002, U.S. Provisional Application No. 60/408,378 filed September 5, 2002, U.S. Provisional Application No. 60/409,293 filed September 9, 2002, and U.S. Provisional Application No. 60/440,129 filed January 15, 2003.
- b. ☐ Cancel in this application original claims of the prior application before calculating the filing fee. (At least one claim must remain.)
- c. ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of application Serial No.
- d. ☐ The prior application is assigned of record to

03940 U.S. PTO

10/652791



08/29/03

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>				Attorney Docket No. MBHB03-332-B (400/126)	
<b>APPLICATION FEES</b>					
<b>BASIC FEE</b>					<b>\$ 750.00</b>
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>		
Total Claims	36 - 20 =	16	x \$18.00	\$ 288.00	
Independent Claims	4 - 3 =	1	x \$84.00	\$ 84.00	
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable			+\$280.00	\$	
Total of above calculations =				\$ 1,122.00	
Reduction by 50% for filing by small entity =				\$(561.00)	
<input type="checkbox"/> Assignment fee if applicable			+ \$40.00	\$	
<b>TOTAL =</b>				<b>\$ 561.00</b>	
19. <input type="checkbox"/> Please charge my Deposit Account No. 13-2490 in the amount of \$					
20. <input checked="" type="checkbox"/> A check in the amount of \$561.00 is enclosed.					
21. The Commissioner is hereby authorized to credit overpayments or charge any additional fees of the following types to Deposit Account No. 13-2490:					
a. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.16.					
b. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.17.					
c. <input checked="" type="checkbox"/> Fees required under 37 CFR 1.18.					
22. The Commissioner is hereby generally authorized under 37 CFR 1.136(a)(3) to treat any future reply in this or any related application filed pursuant to 37 CFR 1.53 requiring an extension of time as incorporating a request therefor, and the Commissioner is hereby specifically authorized to charge Deposit Account No. 13-2490 for any fee that may be due in connection with such a request for an extension of time.					
<b>23. CERTIFICATE OF MAILING</b>					
I hereby certify that, under 37 CFR § 1.10, I directed that the correspondence identified above be deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.					
<b>24. USPTO CUSTOMER NUMBER</b>					
<b>20306</b>					
<b>McDonnell Boehnen Hulbert &amp; Berghoff</b>					
<b>25. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>					
Name	Anita J. Terpstra, Ph.D.				
Reg. No.	47,132				
Signature					
Date	August 29, 2003				

UTIL (Rev. 11/21/00)